

FAIR HOUSING FACT SHEET

Sexual Harassment

California Fair Housing Laws Protect You From Sexual Harassment!

Under the *California Fair Employment and Housing Act*, you are entitled to live in an environment free of sexual harassment. A housing provider may not subject you to sexual harassment or retaliate against you for refusing sexual advances or for objecting to other forms of sexual harassment.

What is considered “sexual harassment” under California law?

Sexual harassment includes, but is not limited to, the following actions:

- Comments, epithets, slurs, or jokes of a sexual nature; graphic statements about an individual’s body; suggestive or obscene letters, notes, or invitations
- Leering; making offensive gestures; or displaying offensive or suggestive objects, pictures, cartoons, or posters
- Unwanted physical touching or assault, as well as impeding or blocking movements
- Making unwanted verbal sexual advances or propositions
- Offering certain housing rights or privileges in exchange for sexual favors
- Threatening or taking adverse action (such as eviction) in retaliation for a negative response to sexual advances

What about harassment that is not sexual in nature?

California fair housing laws also prohibit housing providers from harassing you or otherwise discriminating against you because of your race, color, religion, sex (gender), sexual orientation, marital status, national origin (including language limitations), ancestry, familial status (households with children under age 18), source of income, disability (mental and physical, including HIV and AIDS), medical condition (cancer/genetic characteristics), or age. The law also covers situations where you are **perceived** to have these characteristics, or you **associate** with a person who has, or is believed to have, these characteristics.

What should I do if I have been harassed?

If you believe you have been illegally harassed, you can explore filing a complaint with the Department of Fair Employment and Housing (DFEH) by taking the following steps within **one year** of the incident:

- Contact us in writing or at our toll-free Housing number **(800) 233-3212**
- Provide specific facts about the incident
- Provide copies of documents that support the charges in your complaint
- Keep records and documents about the complaint, such as a diary or log of incidents, rent receipts, applications, and other potential proof of discrimination

What will DFEH do?

If your complaint is accepted, DFEH will conduct an impartial investigation. DFEH is a neutral fact-finder and does not represent you or the parties named in your complaint. DFEH tries to assist both parties to resolve the complaint.

If DFEH is unable to resolve the complaint, and there is evidence that indicates a violation of the law, the matter may be litigated by the Department before the Fair Employment and Housing Commission or in civil court. Examples of resolutions could include:

- Orders to immediately cease the harassment
- Requirement that the housing provider receive training in laws prohibiting harassment and discrimination to prevent future discrimination
- Compensation for out-of-pocket expenses and/or emotional distress
- Other actions to eliminate the effects of discrimination, such as penalties and fines

Can I file a lawsuit before or after I file a complaint with DFEH?

You have the right to file a lawsuit on your own behalf in a California court within **two years** of the alleged discriminatory act. It is not necessary to file a complaint with DFEH prior to the filing of a lawsuit. The time that a complaint is pending with DFEH will not count when computing the two-year period.

Are there other agencies that can help?

Yes. The U. S. Department of Housing and Urban Development (HUD) enforces laws that prohibit harassment and discrimination in housing. HUD also monitors subsidized housing programs. For further information, call (800) 347-3739, or visit the web site at www.hud.gov.

The State of California Department of Consumer Affairs can help with questions or complaints regarding landlord/tenant relationships, including repairs, safety violations, and Health and Safety Code violations. For further information, call (800) 952-5210, or visit the web site at www.dca.ca.gov.

The Mobile Home Ombudsperson at the California Department of Housing and Community Development can help with questions or complaints pertaining to mobile homes, including health and safety issues, maintenance issues, and warranty issues. For further information, call (800) 952-5275, or visit the web site at www.hcd.ca.gov.

For more information, contact DFEH toll free at (800) 233-3212, Oakland area & out-of-state at (510) 622-2945 or 2946, TTY number at (800) 700-2320, or visit our web site at www.dfeh.ca.gov

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State of California

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